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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/929,886	08/15/2001	Anne E. Allen	09163-20901	9301
27171 7590 01/27/2010 MILBANK, TWEED, HADLEY & MCCLOY 1 CHASE MANHATTAN PLAZA NEW YORK, NY 10005-1413				
EXAMINER CHENCINSKI, SIEGFRIED E				
ART UNIT		PAPER NUMBER		
3695				
MAIL DATE		DELIVERY MODE		
01/27/2010		PAPER		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Examiner-Initiated Interview Summary		Application No. 09/929,886	Applicant(s) ALLEN ET AL.
		Examiner SIEGFRIED E. CHENCINSKI	Art Unit 3695

All Participants:

(1) SIEGFRIED E. CHENCINSKI.

(2) Atty Chris Holm.

Date of Interview: 15 January 2009

Status of Application: _____

(3) _____.

(4) _____.

Time: 4:15pm

Type of Interview:

☒ Telephonic
☐ Video Conference
☐ Personal (Copy given to: ☐ Applicant ☐ Applicant's representative)

Exhibit Shown or Demonstrated: ☐ Yes ☒ No
If Yes, provide a brief description: _____

Part I.

Rejection(s) discussed: _____

Claims discussed:
12, 21-24, 42, 52-54 and 87

Prior art documents discussed:
n/a

Part II.

SUBSTANCE OF INTERVIEW DESCRIBING THE GENERAL NATURE OF WHAT WAS DISCUSSED:
See Continuation Sheet

Part III.

☐ It is not necessary for applicant to provide a separate record of the substance of the interview, since the interview directly resulted in the allowance of the application. The examiner will provide a written summary of the substance of the interview in the Notice of Allowability.

☒ It is not necessary for applicant to provide a separate record of the substance of the interview, since the interview did not result in resolution of all issues. A brief summary by the examiner appears in Part II above.

/Narayanswamy Subramanian/
Primary Examiner, Art Unit 3695

(Applicant/Applicant's Representative Signature – if appropriate)

Continuation of Substance of Interview including description of the general nature of what was discussed: The examiner called Atty Holm in an attempt to seek agreement for making examiner's amendments in the independent claims because the examiner found that:

1) There exists a 35 USC 112-2nd paragraph problem of indefiniteness with each independent claim because one or more conditional limitations are not brought to a definite conclusion (with Cl. 12 as exemplary, limitation d) is left unresolved).

2) There exists a 35 USC 112-1st paragraph problem with the independent claims. With claim 12 as exemplary, the limitations of "by the programmed computer" introduced into limitations a), b) and c) by amendment in the most recent response do not appear to have support.

The parties discussed each of these issues. Atty Holm told the examiner that he was not prepared to properly consider these issues at this time and that the examiner should issue an office action containing these rejections and any 35 USC 101 rejections which the examiner may deem appropriate. The examiner will await Applicant's formal response to the office action being issued.